

16741. Adulteration and misbranding of oil. U. S. v. Albert Alonge and Michael Alonge (Campagnola Packing Co.), and Loumen Drug Co. Pleas of guilty. Albert Alonge and Michael Alonge sentenced to 1 year in jail; sentence suspended and individual defendants placed on probation. Loumen Drug Co. fined \$1,000. (F. D. C. No. 26787. Sample No. 9892-K.)

INDICTMENT RETURNED: March 29, 1949, Eastern District of New York, against Albert Alonge and Michael Alonge, partners in the Campagnola Packing Co., and against the Loumen Drug Co., a corporation, Brooklyn, N. Y.

VIOLATION CHARGED: On or about February 6, 1948, the defendants shipped and caused to be shipped from the State of New York into the State of New Jersey, a quantity of edible oil. In addition, the Loumen Drug Co. was charged with having delivered between the approximate dates of July 1947 and February 6, 1948, to the Campagnola Packing Co., a substance known as "squalene" for the purpose of aiding, abetting, counseling, inducing, and procuring the interstate shipment of the adulterated and misbranded oil.

LABEL, IN PART: "Campagnola 80% Choicest Quality Peanut Oil 20% Pure Imported Olive Oil Distributed By Campagnola Packing Co. New York, N. Y."

NATURE OF CHARGE: Count 1. Adulteration, Section 402 (b) (1), olive oil, a valuable constituent, had been in whole or in part omitted from the product; and, Section 402 (b) (4), artificial flavor and squalene had been added to the product and mixed and packed with it so as to make it appear to be better and of greater value, namely, an article containing more olive oil than was actually present.

Count 2. Misbranding, Section 403 (a), the label statements "80% Choicest Quality Peanut Oil" and "20% Pure Imported Olive Oil" were false and misleading since the product did not contain 20 percent of pure imported olive oil; and, Section 403 (k), the product contained an artificial flavoring and did not bear labeling stating that fact.

DISPOSITION: May 22, 1949. Pleas of guilty having been entered by Albert Alonge and Michael Alonge to counts 1 and 2, the court sentenced each defendant to 1 year in jail on each count, with the sentences to run concurrently; however, the sentences were suspended, and the defendants were placed on probation. A plea of guilty having been entered on behalf of the Loumen Drug Co. to count 1, the court fined the corporate defendant \$1,000.

16742. Adulteration and misbranding of oil. U. S. v. Benny Di Carlo (Di Carlo Importing Co.), and Loumen Drug Co. Pleas of guilty. Benny Di Carlo sentenced to 1 year in jail; sentence suspended and defendant placed on probation. Loumen Drug Co. fined \$1,000. (F. D. C. No. 26790. Sample No. 8117-K.)

INDICTMENT RETURNED: March 29, 1949, Eastern District of New York, against Benny Di Carlo, trading as the Di Carlo Importing Co., Brooklyn, N. Y., and against the Loumen Drug Co., a corporation, Brooklyn, N. Y.

VIOLATION CHARGED: On or about March 23, 1948, the defendants shipped and caused to be shipped from the State of New York into the State of Connecticut, a quantity of edible oil. In addition, the Loumen Drug Co. was charged with having delivered to Benny Di Carlo, between the approximate dates of July 1947 and March 23, 1948, a substance known as "squalene," for the purpose

of aiding, abetting, counseling, inducing, and procuring the interstate shipment of the adulterated and misbranded oil.

LABEL, IN PART: "Aquila Brand Sublime Edible Oil Supreme Quality 22% Italian Olive Oil 78% Pure Peanut Oil Distributors Di Carlo Importing Co. Brooklyn, N. Y."

NATURE OF CHARGE: Count 1. Adulteration, Section 402 (b) (1), olive oil, a valuable constituent, had been in whole or in part omitted from the product; and, Section 402 (b) (4), artificial flavor, artificial color, and squalene had been added to the product and mixed and packed with it so as to make it appear to be better or of greater value, namely, an article containing more olive oil than was actually present.

Count 2. Misbranding, Section 403 (a), the label statements "22% Italian Olive Oil" and "78% Pure Peanut Oil" were false and misleading since the product did not contain 22 percent of Italian olive oil; and, Section 403 (k), the product contained an artificial flavoring and did not bear labeling stating that fact.

DISPOSITION: June 2, 1950. Benny Di Carlo having entered a plea of guilty to counts 1 and 2, the court sentenced him to 1 year in jail on each count, with the sentences to run concurrently; however, the sentences were suspended, and the defendant was placed on probation. A plea of guilty having been entered on behalf of the Loumen Drug Co. to count 2, the court fined the corporation \$1,000.

16743. Adulteration and misbranding of oil. U. S. v. Joseph Lentini (Lentini Olive Oil Packing Co.), and Loumen Drug Co. Pleas of guilty. Joseph Lentini sentenced to 1 year in jail; sentence suspended and defendant placed on probation. Loumen Drug Co. fined \$1,000. (F. D. C. No. 26788. Sample Nos. 8093-K, 8144-K.)

INDICTMENT RETURNED: March 29, 1949, Eastern District of New York, against Joseph Lentini, trading as the Lentini Olive Oil Packing Co., and against the Loumen Drug Co., a corporation, Brooklyn, N. Y.

VIOLATION CHARGED: On or about January 13, 1948, the defendants shipped and caused to be shipped from the State of New York into the State of Connecticut, a quantity of edible oil. In addition, the Loumen Drug Co. was charged with having delivered to Joseph Lentini, between the approximate dates of July 1947 and January 13, 1948, a substance known as "squalene," for the purpose of aiding, abetting, counseling, inducing, and procuring the interstate shipment of the adulterated and misbranded oil.

LABEL, IN PART: "Angelus 80% Peanut Oil 20% Pure Olive Oil Packed By Lentini Olive Oil Packing Co. Brooklyn, N. Y."

NATURE OF CHARGE: Count 1. Adulteration, Section 402 (b) (1), olive oil, a valuable constituent, had been in whole or in part omitted from the product; and, Section 402 (b) (4), artificial flavor and squalene had been added to the product and mixed and packed with it so as to make it appear to be better and of greater value, namely, a product containing more olive oil than was actually present.

Count 2. Misbranding, Section 403 (a), the label statements "80% Peanut Oil" and "20% Pure Olive Oil" were false and misleading since the product did not contain 20 percent of pure olive oil; and, Section 403 (k), the product contained an artificial flavoring and did not bear labeling stating that fact.